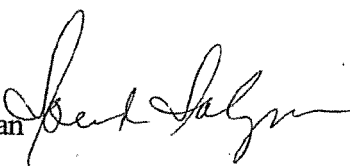


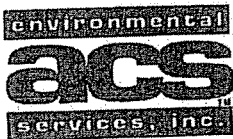
Dec. 16 2010

To: US Attorney, Southern District of New York
86 Chambers St.
New York, NY, 10007

From: Mr. and Mrs. B. Salzman
36 Gramercy Park East
New York, NY, 10003



We are enclosing correspondence to the owner of our apartment building and to the construction company carrying out demolition and renovation of apartments in the building. The building is undergoing condo conversion. However, several of the apartments are inhabited while this renovation is being carried out. Demolitions are being carried out without regard to the tenants who are living in the building. They are being done without compliance to the city and federal lead laws. We need your help in stopping this work and in forcing the individuals involved to comply with the law for our safety and well being. We are appealing to you to enforce the law and to stop the landlord and demolition company from exposing tenants in the building to dangerous and unhealthy living conditions. Most of the remaining tenants are older, rent stabilized tenants who deserve to be protected from such practices. Considering the profits to be made in these conversions, the landlord has little incentive to be fair in carrying out renovations. We are relying on the exercise of the law to protect us.



December 10, 2010

Mrs. Sondra Leftoff
36 Gramercy Park, Apt# 11W
New York, NY 10003

Re: ACS Job No. 4646.04
LEAD DUST WIPE SAMPLING RESULTS
38 Gramercy Park, New York, NY 10003
Apartment # 11W

Dear Mrs. Leftoff,

ACS Environmental Services, Inc. was retained to conduct Lead Dust Wipe Sampling at the above referenced project site. Sampling was performed on December 6, 2010 by Louis Illiano who is a US EPA certified lead inspector. Copies of certifications are available upon request. The sampling was performed in order to determine the presence (or absence) of lead dust in the apartment.

As described to us, renovation work is being performed in the neighboring apartment and is creating an accumulation of dust in the subject apartment and the public hallway. A total of four (4) lead dust wipe samples were collected and sample locations were chosen by the client. Sampling procedures were conducted in accordance with all city and federal regulations governing lead-based paint.

The samples were submitted under a Chain of Custody Form to Eastern Analytical Services, Inc., an EPA and NIOSH Certified Lead Testing Laboratory. The laboratory is accredited by the New York State Department of Health Environmental Laboratory Approval Program (NYS ELAP # 10851). The method of analysis performed was Atomic Absorption Spectrometry (AAS), following the EPA Method 3050/7420. Pursuant to the New York City Health Code, Section 173.14 and the U.S. Environmental Protection Agency (EPA) the standard for post-abatement clearance samples for re-occupancy dust lead levels are as follows;

Floors:	40 ug/ft ²
Window Sills	250 ug/ft ²
Window Wells:	400 ug/ft ²

ug/ft² = micrograms of lead per square foot

Analytical data indicates that three (3) of the four (4) samples collected to contain lead dust concentrations above the regulatory levels. The laboratory analytical reports are attached.

The table on the following page lists the samples collected and the analytical results;

**ACS ENVIRONMENTAL
SERVICES, INC.**

2081 Homecrest Avenue
Suite 2B
Brooklyn, N.Y. 11229
(718) 339-1984
FAX: (718) 998-6373

LEAD DUST WIPE SAMPLING RESULTS
38 Gramercy Park, New York, NY 10003 - Apt# 11W

Sample ID #	Sample Location	Sample Description	Lead Concentration
11W-1	Foyer at Entry Door	Floor	545.9 ug/ft ²
11W-2	Private Hall at File Cabinet	Floor	153.4 ug/ft ²
11W-3	Living Room on Area Rug	Floor	21.6 ug/ft ²
11W-4	11 th Fl Public Hall at Entry to Apt# 11W	Floor	167.5 ug/ft ²
11W-5	Field Blank Sample	Floor	BDL <10 ug/ft ²

BDL = Below Detectable Limits

Shaded boxes indicate elevated lead dust levels.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

It is recommended that the areas determined to contain elevated lead dust levels be thoroughly cleaned. The cleaning should be performed by a US EPA licensed lead abatement contractor and should be performed in accordance with all applicable regulations. In accordance a proper cleaning of a work area begins with a thorough HEPA vacuuming of all surfaces inside the room, starting at the ceilings, proceeding down the walls including the window and door components, and the floor. The floor shall be vacuumed last, beginning at the farthest corner from the entrance to the room or work area. The next step is to thoroughly wet-wipe all surfaces (TSP Wash). Wash or mop the same surfaces with a tri-sodium phosphate (TSP) detergent solution or other equally effective cleaning agent and allow surfaces to dry. Then a second HEPA Vacuuming of the surfaces shall be performed. By the conclusion of the cleanings, all visible dust and debris shall have been completely removed. Special attention shall be given to personal hygiene and the cleaning of supplies and/or equipment. All mop heads, sponges and rags shall be replaced or changed continuously. The areas that indicated elevated lead dust levels should be re-tested in order to confirm the successful completion of the cleaning.

Disclaimer

This report is based solely upon sampling of the surfaces within the project site at the time of inspection and makes no determinations with respect to portions of the premises which were not tested. ACS Environmental Services, Inc. (ACS) makes no representation of warranty with respect to your compliance with local, state or federal statutes, regulations, or rules. Any and all liability on the part of ACS shall be limited solely to the cost of this survey report. ACS shall have no liability for any other damage, whether consequential, compensatory, punitive, or special, arising out of, incidental to, or as a result of, this survey and report. ACS assumes no liability for the use of this survey or report by any other person or entity including the customer for whom it has been prepared.

Reported by,



Louis Illiano
 EPA Certified Lead Inspector
 Certificate No. NY-I-5445-3

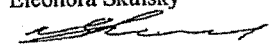


Eastern Analytical Services, Inc.

Wipe Sample Report

Page 1 of 1

RE: CPN 464604 - 36 Gramercy Park East - New York, NY - Apt. 11W

Date Collected: 12/06/2010
Collected By: L. Illiano
Date Received: 12/07/2010
Date Analyzed: 12/08/2010
Analyzed By: Eleonora Skulsky
Signature: 
Analyte: Pb Dust
Analytical Method: EPA 3050/7420
NYS Lab Number: 10851

Client: ACS Environmental Services, Inc.
2081 Homecrest Avenue - Suite 2B
Brooklyn, NY 11229

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
11W-1 1968269	Foyer at Entry Door - Floor	Dust Wipe - 12" x 12" Area	545.9 µg/ft ²
11W-2 1968270	Private Hall at File Cabinet - Floor	Dust Wipe - 12" x 12" Area	153.4 µg/ft ²
11W-3 1968271	Living Room on Area Rug - Floor	Dust Wipe - 12" x 12" Area	21.6 µg/ft ²
11W-4 1968272	11th Floor Public Hall at Entry to Aptartment 11W - Floor	Dust Wipe - 12" x 12" Area	167.5 µg/ft ²
11W-5 1968273	Not Applicable	Field Blank	BDL < 12.2 µg

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested
AIHA Accreditation No. 100263 Rhode Island DOH No. AAL-07273

Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AAS-2095

LEAD DUST WIPE SAMPLING DATA FORM

Project: 464604 36 GRAMERCY PARK EAST NEW YORK, NY- Apt # 11W Date Collected: 12/6/10 Collected By: L. ILLIANO	Sample Method: AAS Analysis: Pb Dust EPA 3050/7420 Turn Around: 48 hrs # Of Samples: 5
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Sample ID #	Sample Location	Sample Description	Area Sampled (inches)	Result
11W-1	Foyer At Entry Door	FLOOR	12x12	1968269
11W-2	Private Hall At File Cabinet	FLOOR	12x12	1968270
11W-3	Living Room on Area Rug	FLOOR	12x12	1968271
11W-4	11th Floor Public Hall At Entry to Apt 11W	FLOOR	12x12	1968272
11W-5	F/BLANK	—	—	1968273

SAMPLE CHAIN OF CUSTODY FORM

Relinquished By: LOUIS ILLIANO
Signature: [Signature]
Date: 12/6/10 Time: 1238

Comments:

Received By: Maria Riggs / EAS
Signature: _____
Date: _____ Time: DEC 7 10 10:03

Received By: _____
Signature: _____
Date: _____ Time: _____

BY CERTIFIED MAIL

Dec. 10 2010

To: Faisal Ahmed,
Accolade Construction
320 W. 37 St.
Suite 3-F
New York, NY 10018

From: Mr. and Mrs. Salzman
36 Gramercy Park
Apt. 11W
New York, NY, 10003

This is to inform you that we discovered large amounts of dust in our apartment as a result of the demolition work you have carried out in the adjoining apartment to ours, 11S. Lead testing performed by Eastern Analytic Services, Inc in our apartment found elevated lead levels in the apartment as well as in the common hallway of the 11th floor. The testing was carried out on Dec. 6 2010.

We had previously informed you that any demolition work carried out in apartment 11S needed to be done according to the NYC and Federal lead laws. At that time, Mr. Gary Swords stated that that was unnecessary as he understood that this was a lead free building and therefore Accolade Construction did not need to use lead precautions in their work in the apartment.

Accolade Construction carried out the work in the apartment in violation of the NYC and Federal lead laws regarding lead safe work practices. This includes the lack of safety measures to prevent the spread of lead dust generated through the demolition of original walls of the apartment and disposal of the lead contaminated waste through the common hallway and building elevator. Both were carried out without any lead safeguards in place.

We hold Accolade Construction responsible for any and all consequences of this malfeasance. We hold you responsible for the safe cleanup of lead and other contaminants from the demolition site, from our apartment, and from the common areas of the building. We also hold you responsible for any expenses incurred by our family in dealing with this issue.

The resulting contamination of our apartment has exposed our one year old grandson to elevated levels of lead. This is a clear and present danger.

We demand that you cease any further work in the apartment until it is carried out in accordance with the New York City and Federal lead laws.

Please notify us by return mail on how you plan to address this issue with specific details and time frames.

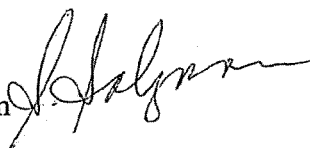
cc: NYS Attorney General

U.S. Attorney for the Southern District, New York

BY CERTIFIED MAIL

Dec. 15 2010

To: Faisal Ahmed,
Accolade Construction
320 W. 37 St.
Suite 3-F
New York, NY 10018

From: Mr. and Mrs. Salzman 
36 Gramercy Park
Apt. 11W
New York, NY, 10003

In our letter of Dec. 10 2010, we informed you that you have contaminated our apartment and the common area hallway of the 11th floor of 36 Gramercy Park East. This resulted from the demolition and renovation that you carried out on Apartment 11S that is next to our apartment on that floor. Enclosed is a copy of the lead dust testing carried out by Eastern Analytic Services, Inc on Dec. 6 2010. You have violated federal lead laws in your demolition, have acted to contaminate our living space and exposed our one year old grandson to dangerous levels of lead dust. In order to make our apartment habitable and our home safe, we demand that you carry out the following actions using a company licensed by the Environmental Protection Agency in lead abatement.

1. Carry out lead abatement of Apartment 11S by a firm licensed by the Environmental Protection Agency. This must be done first, as the lead dust that exists in Apartment 11S will otherwise continue to contaminate our apartment..
2. Carry out lead abatement of our apartment, 11W, by a firm licensed by the Environmental Protection Agency. You will then need to carry out lead testing of our apartment to indicate that the cleaning was effective and that lead dust levels achieve EPA standards of safety.

3. Carry out lead abatement of the common hallway of the 11th floor by a firm licensed by the Environmental Protection Agency. You will then need to carry out lead testing of the common hallway indicate that the cleaning was effective and that lead dust levels achieve EPA standards of safety

You need to respond to this letter with your plan of action by return mail. Any further delay in responding to us will increase the consequences of your deliberate negligence.

BY CERTIFIED MAIL

Dec. 13 2010

To : Brendan Ince, Property Manager of 36 Gramercy Park East
Mann Realty
1776 Broadway
23rd floor
New York, NY, 10019

From: Mr. and Mrs. Salzman
36 Gramercy Park East
Apt. 11W
New York, NY, 10003



This is to inform you that we discovered large amounts of dust in our apartment as a result of the demolition work carried out in the adjoining apartment to ours, 11S. Lead testing performed by Eastern Analytic Services, Inc in our apartment found elevated lead levels in the apartment as well as in the common hallway of the 11th floor. The testing was carried out on Dec. 6 2010.

We had previously informed the construction company, Accolade Construction that they needed to carry out any demolition work in apartment 11S according to the NYC and federal lead laws. They stated that the management of 36 Gramercy Park told them that this was a lead free building and therefore they did not need to use lead precautions in their work in the apartment.

The demolition was carried out in violation of the NYC and Federal lead laws regarding lead safe work practices. This includes the lack of safety measures to prevent the spread of lead dust generated through the demolition of original walls of the apartment and disposal of the lead contaminated waste through the common hallway and building elevator. Both were carried out without any lead safeguards in place.

The resulting contamination of our apartment has exposed our one year old grandson to elevated levels of lead. This is a clear and present danger.

We hold the landlord and management responsible for any and all consequences of this malfeasance. We hold you responsible for the safe cleanup of lead and other contaminants from the demolition site, from our apartment, and from the common areas of the building. We also hold you responsible for any expenses incurred by our family in dealing with this issue.

We demand the cessation of all demolition and construction in the building until it is carried out in accordance with the New York City and Federal lead laws.

Please notify us by return mail on how you plan to address this issue with specific details and time frames.

cc: NYS Attorney General
U.S. Attorney for the Southern District, New York

BY CERTIFIED MAIL

Dec. 15 2010

To: Brendan Ince, Property Manager, 36 Gramercy Park East
Mann Realty
1776 Broadway
23rd floor
New York, NY, 10019

From: Mr. and Mrs. Salzman
36 Gramercy Park
Apt. 11W
New York, NY, 10003



In our letter of Dec. 10 2010, we informed you that you have contaminated our apartment and the common area hallway of the 11th floor of 36 Gramercy Park East. This resulted from the demolition and renovation that you carried out on Apartment 11S that is next to our apartment on that floor. Enclosed is a copy of the lead dust testing carried out by Eastern Analytic Services, Inc on Dec. 6 2010. You have violated federal lead laws in your demolition, have acted to contaminate our living space and exposed our one year old grandson to dangerous levels of lead dust. In order to make our apartment habitable and our home safe, we demand that you carry out the following actions using a company licensed by the Environmental Protection Agency in lead abatement.

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3. Carry out lead abatement of the common hallway of the 11th floor by a firm licensed by the Environmental Protection Agency. You will then need to carry out lead testing of the common hallway indicate that the cleaning was effective and that lead dust levels achieve EPA standards of safety .

You need to respond to this letter with your plan of action by return mail. Any further delay in responding to us will increase the consequences of your deliberate negligence.

BY CERTIFIED MAIL

Dec. 15 2010

To: Maurice Mann
Mann Realty
1776 Broadway
23rd floor
New York, NY, 10019

From: Mr. and Mrs. Salzman
36 Gramercy Park
Apt. 11W
New York, NY, 10003



In our letter of Dec. 10 2010, we informed you that you have contaminated our apartment and the common area hallway of the 11th floor of 36 Gramercy Park East. This resulted from the demolition and renovation that you carried out on Apartment 11S that is next to our apartment on that floor. Enclosed is a copy of the lead dust testing carried out by Eastern Analytic Services, Inc on Dec. 6 2010. You have violated federal lead laws in your demolition, have acted to contaminate our living space and exposed our one year old grandson to dangerous levels of lead dust. In order to make our apartment habitable and our home safe, we demand that you carry out the following actions using a company licensed by the Environmental Protection Agency in lead abatement.

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3. Carry out lead abatement of the common hallway of the 11th floor by a firm licensed by the Environmental Protection Agency. You will then need to carry out lead testing of the common hallway indicate that the cleaning was effective and that lead dust levels achieve EPA standards of safety

You need to respond to this letter with your plan of action by return mail. Any further delay in responding to us will increase the consequences of your deliberate negligence.

